

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 28, 2019

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Severiano V Valle

Case Number: 0980 2:18CR00090-001

Address of Offender:

Royal City, Washington 99357

Name of Sentencing Judicial Officer: The Honorable Edward J. Lodge, U.S. District Court Judge

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Court Judge

Date of Original Sentence: March 26, 2012

Original Offense: Possession with Intent to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 87 months; TSR - 48 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Not assigned

Date Supervision Commenced: October 30, 2015

Defense Attorney: Not assigned

Date Supervision Expires: October 29, 2019

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 06/07/2019.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition # 3: The defendant shall not unlawfully possess a controlled substance and shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at to a maximum of five (5) periodic drug tests a month thereafter, as directed by the probation officer. Cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

Supporting Evidence: Severiano V. Valle is considered in violation of his supervision by admitting to the use of methamphetamine on or about and June 20, 2019.

On November 5, 2015, a probation officer reviewed the conditions of supervised release outlined in the judgement and sentence with Mr. Valle. The offender reviewed and signed the document acknowledging he understood the imposed release conditions.

On June 20, 2019, Mr. Valle reported that he had failed to report for urine drug testing as required at Social Opportunity Treatment Program (STOP) on June 19, 2019, but stated that he would report for testing on June 20, 2019. The offender later called and admitted that he

had used methamphetamine on or about June 19, 2019. Mr. Valle further told the probation officer that he had committed to staying clean only if he did not have to attend any further substance abuse treatment, but the treatment counselor wanted him to attend further treatment. The urine sample was sent to Alere Laboratory for confirmation testing and the results are pending.

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Mandatory Condition # 3: The defendant shall not unlawfully possess a controlled substance and shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at to a maximum of five (5) periodic drug tests a month thereafter, as directed by the probation officer. Cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

Supporting Evidence: Severiano V. Valle is considered in violation of his supervision by failing to report for urine drug testing on June 19, 2019.

On November 5, 2015, a probation officer reviewed the conditions of supervised release outlined in the judgement and sentence with Mr. Valle. The offender reviewed and signed the document acknowledging he understood the imposed release conditions.

On November 5, 2015, Mr. Valle signed the Substance Abuse Testing Instructions form, which directed the offender to call STOP each day and report on the day his group is directed to report for testing. On May 7, 2018, Mr. Valle was assigned to the color group "brown" and was directed to report for testing when directed by the contracting facility. June 19, 2019, Mr. Valle's color group was directed to report for testing by the contracting facility, STOP, but Mr. Valle did not report. On June 20, 2019, Mr. Valle left a voice message for the probation officer claiming that he had forgotten to report to STOP following a meeting with his substance abuse treatment counselor. Later the offender admitted that he had used methamphetamine following the meeting with the counselor. Mr. Valle submitted to testing on June 20, 2019, and the sample was presumptively positive for the use of methamphetamine.

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Special Condition # 15: The defendant shall participate in a program of drug/alcohol abuse treatment, including urinalysis testing, as directed by the probation officer. Cost of the treatment and testing to be paid by the defendant and the government based upon the defendant's ability to pay.

Supporting Evidence: Severiano V. Valle is considered in violation of his supervision by failing to attend substance abuse treatment as assessed by the provider and directed by the probation officer.

On November 5, 2015, a probation officer reviewed the conditions of supervised release outlined in the judgement and sentence with Mr. Valle. The offender reviewed and signed the document acknowledging he understood the imposed release conditions.

On May 7, 2018, Mr. Valle was directed by the probation officer to seek a substance abuse assessment and attend recommended treatment. Mr. Valle had his initial assessment at Grant Integrated Services on June 1, 2018. On June 19, 2019, the offender met with a substance abuse treatment counselor at Grant Integrated Services and was reassessed due to his recent relapse. The counselor recommended an increase in treatment services, but Mr. Valle

Re: Valle, Severiano V

June 27, 2019

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refused. On June 20, 2019, Mr. Valle left a voice message with his counselor stating that he would not be attending his regular weekly treatment group that day because he had used methamphetamine.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/27/2019

s/Curtis G. Hare

Curtis G. Hare
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

6/28/2019

Date